

# DECLARATION

## INVENTORSHIP IDENTIFICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

### **THREE-DIMENSIONAL, FLEXIBLE CELL GROWTH SUBSTRATE AND RELATED METHODS**

#### **TITLE OF INVENTION SPECIFICATION IDENTIFICATION**

the specification of which:

- (a)  is attached hereto.
- (b)  was filed on \_\_\_\_\_, as  Serial No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (*if applicable*).
- (c)  was described and claimed in PCT International Application No. PCT/US2004/011796 filed on April 16, 2004  
 and was amended on \_\_\_\_\_. (*if applicable*).

#### **ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

#### **PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)** (Prior Foreign/Pct Application(S) Filed Within 12 Months (6 Months For Design) Prior To This Application)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate(s) or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed.

Application Number	Country or PCT	Date Of Filing (Day, Month, Year)	Priority not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. § 119(e)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
60/464,010	April 18, 2003

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S) UNDER 35 U.S.C. 120**

(All Foreign Application(S), If Any, Filed More Than 12 Months  
(6 Months For Design) Prior To This U.S. Application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or 365(c) PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

U.S Parent Application No.	PCT Parent Application No.	Date Of Filing (Day, Month, Year)	Parent Patent No. (If applicable)
	PCT/US2004/011796	16/April/2004	

**DECLARATION**

I hereby declare that my presentation of this paper constitutes a certification under 37 C.F.R § 10.18, which provides, in part, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application and any patent issuing therefrom.

## SIGNATURE(S)

## Inventor(s)

Philip (GIVEN NAME)	R. (MIDDLE INITIAL OR NAME)	LeDuc FAMILY (OR LAST NAME)
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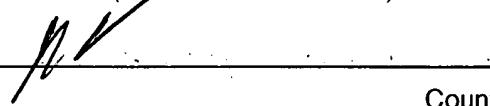
Inventor's signature		7/26/06
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Date		Country of Citizenship	USA
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Residence	Pittsburgh, PA 15209		
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Mailing Address:	5205 Teakwood Court, Pittsburgh, PA 15209		
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James (GIVEN NAME)	D. (MIDDLE INITIAL OR NAME)	Kubicek FAMILY (OR LAST NAME)
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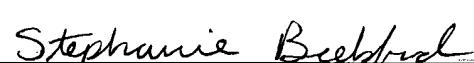
Inventor's signature		7/26/2006
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Date		Country of Citizenship	USA
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Residence	Pittsburgh, PA 15217		
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Mailing Address:	5700 Solway Street, Pittsburgh, PA 15217		
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Stephanie (GIVEN NAME)		Brelsford FAMILY (OR LAST NAME)
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Inventor's signature		
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Date	10/24/05	Country of Citizenship	USA
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Residence	Arlington, MA 02476		
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Mailing Address:	995 Massachusetts Avenue, Unit 304, Arlington, MA 02476		
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- Signature by administrator(trix), or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_.
- Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_.
- Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47) Number of pages added \_\_\_\_\_.
- Authorization of attorney(s) to accept and follow instructions from representative.

This declaration ends with this page.

**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/553,249
Filing Date	April 16, 2006
First Named Inventor	P. R. LeDuc
Title	THREE-DIMENSIONAL .....
Art Unit	
Examiner Name	
Attorney Docket Number	040285PCTUS

**I hereby revoke all previous powers of attorney given in the above-identified application**

I hereby appoint:

Practitioners associated with the Customer Number:

26285

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:

OR

The address associated with Customer Number:

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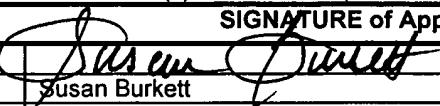
OR

<input type="checkbox"/>	Firm or Individual Name			
Address				
Address				
City	State	Zip		
Country				
Telephone	Fax			

I am the:

Applicant/Inventor.  
 Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	
Name	Susan Burkett	Telephone	
Title and Company	Associate Provost, Carnegie Mellon University		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: LeDuc et al.Application No./Patent No.: 10/553,249 Filed/Issue Date: April 16, 2004Entitled: **THREE-DIMENSIONAL, FLEXIBLE CELL GROWTH SUBSTRATE AND RELATED METHODS**Carnegie Mellon University, a (a Non-profit Pennsylvania organization)  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or2.  an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

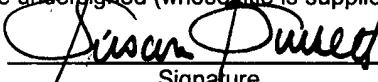
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

8/28/06

Date

Susan Burkett

Printed or Typed Name

Telephone Number

Associate Provost

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

For:  U.S. and/or  Foreign Rights  
For:  U.S. Application or  
      U.S. Provisional Application  
For:  U.S. Patent  
For:  PCT Application  
By: Multiple Inventors

## **ASSIGNMENT OF INVENTION (MULTIPLE INVENTORS)**

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNORS (Inventors):**

Philip R. LeDuc  
(type or print name of inventors)

5205 Teakwood Court  
Pittsburgh, PA 15209 USA  
Address                      Nationality

## James D. Kubicek

5700 Solway Street  
Pittsburgh, PA 15217 USA

## **Stephanie Brelsford**

995 Massachusetts Avenue, Unit 304  
Arlington, VA 22209 USA

hereby sells, assigns and transfers to

ASSIGNEE:

Carnegie Mellon University  
(type or print name(s) of ASSIGNEE(S))

5000 Forbes Avenue  
Address

(a Non-Profit Pennsylvania organization)  
Nationality

Pittsburgh, PA 15213

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

the entire right, title and interest

an undivided \_\_\_\_\_ percent (\_\_\_\_\_%) interest for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled: **THREE-DIMENSIONAL, FLEXIBLE CELL GROWTH SUBSTRATE AND RELATED METHODS**

(check and complete (a), (b), (c), (d), (e), (f) or (g))

and which is found in

(a)  U.S. patent application executed on even date herewith

(b)  U.S. patent application executed on \_\_\_\_\_

(c)  U.S. provisional application naming the above inventor(s) for the above-entitled invention

Express mail label no.: \_\_\_\_\_

Mailed: \_\_\_\_\_

To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.

(d)  U.S. application no.: \_\_\_\_\_ filed on \_\_\_\_\_

(e)  International application no. PCT /US2004/011796 filed on April 16, 2004

(f)  U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_

A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is also being assigned)

(g)  and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any

continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

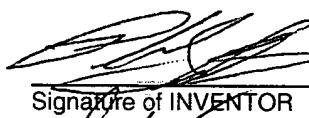
ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal on the date(s) indicated below:

WARNING: The date of signing must be the same as the date of execution of the application, if item (a) was checked above.

Philip R. LeDuc  
(type name of Inventor)

 7/26/06  
Signature of INVENTOR Date

James D. Kubicek  
(type name of Inventor)

 7-26-2006  
Signature of INVENTOR Date

Stephanie Brelsford  
(type name of Inventor)

 10/24/05  
Signature of INVENTOR Date

Notarization or Legalization Page Added.

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.